

**WHISTLEBLOWER REQUEST FOR INVESTIGATION OF
ESSEX COUNTY SHERIFF SALE**

July 18, 2019

The Honorable Joseph N. DiVincenzo, Jr.
Essex County Executive
Hall of Records
465 Dr. Martin Luther King, Jr. Blvd Room 405
Newark, New Jersey 07102
US Postal Certified # 7019 9700 0001 0408 8942

The Honorable Armando B. Fontoura, Sheriff
Essex County Sheriff Office
50 W. Market Street Room 207
Newark, New Jersey 07102
US Postal Certified # 7019 9700 0001 0408 8959

RE: Sheriff File # 19001179; Writ # 19002666; Sheriff Sale Reference # F-17008340
Property location – 14 Cliff Street Newark (Vailsburg), New Jersey
Associated with US Bank v. Bailey New Jersey Superior Court F-20645-14

Dear Executive DiVincenzo and Sheriff Fontoura:

I hereby request that your offices halt the **Eviction Notice (currently scheduled for Tuesday, July 23, 2019)**, until an internal investigation determines whether the offenses (**PERJURY OR BIDDING UNDER FALSE PRETENSES**), as presented below, are sufficiently egregious to warrant the invalidation of the **October 16, 2018 Essex County Sheriff Auction of my property.**

RELEVANT FACTS

I attended the October 16, 2018 Essex County Sheriff auction, signed the Registration Book, and can attest to the following:

1) Marc Pasuco, Bidder #20, was the successful bidder on my property. (He was also the successful bidder on a second property, but I do not know that address.)

2) Following the close of the auctions, I approached Mr. Pasuco, introduced myself, and shared the case name and docket numbers for the “*pending litigation*” on my property. He wrote down his email address (MPasuco@yahoo.com), for me to contact him with updates.

3) A few days later, on or about, October 18, 2018, a man who identified himself as Carlos Costa, began a series of telephone calls to me at my home telephone number. The frequency and nature of those conversations and recorded messages, bordered on harassment. Out of a concern for my safety and privacy, I emailed him a “**Cease and Desist**” letter. (See Attachment 1.)

4) My understanding is that the rules and procedures for the Essex County Sheriff Auction mandate that the person bidding at the auction is the **REAL** purchaser, not a sham, alter ego, or in disguise.

Adding to this mystery:

A) “14 Cliff Street LLC” is listed as the purchaser on all the documents related to the sale.

B) But as of yesterday, July 17, 2019, “14 Cliff Street LLC” is **NOT** registered to anyone. (See Attachment 2.)

“LLC” is NOT just a technicality or informal designation. Misuse or falsification of a trade name is an abuse and misuse of process. The actual owner(s)/principal(s) should be a matter of public record.

C) Not only that, but Phelan Hallinan, the legal representative for Plaintiff US Bank, served all its documents to –

**14 Cliff Street, LLC c/o Paul Morpasulo
237 Adam Street
Newark, New Jersey 07015**

(See Attachment 3.)

Incidentally, my mailings to that same addressee were returned as undeliverable. An online search reveals that “237 Adam Street” is the location for an office of Weichert Realtor.

You figure.

D) SO WILL THE THE REAL PURCHASER PLEASE STAND UP !

Is he Marc Pasuco, Bidder #20, Carlos Costa, Paul Morpasulo, or someone else ???

And yes, this level of transparency and truthfulness does matter, for all kinds of reasons ! I will offer just one example. During Carlos Costa’s initial call to me, he attempted to get me to start

paying him rent. Had I naively or fearfully done so, I might have ended up paying money to the wrong party. One does not need too vivid an imagination in order to develop all kinds of flim-flam that can result when the **REAL** purchaser's identity is kept a mystery from government officials, the affected homeowner, and the general public.

On this basis alone, should your investigation verify my claims, the October 16, 2018 auction of my property should be invalidated.

5) Prospective bidders should **NOT** be kept in the dark if the property listed is subject to "*pending litigation*". **My understanding is that currently the lender/Plaintiff may reveal or may choose to conceal that crucial detail.** An informed decision is not possible when property descriptions/conditions, even on the day of the auction, are deceptive by omission. Your offices may want to revise the info that must be published, announced, and shared.

Please investigate the above irregularities with a sense of urgency, in light of the looming **Eviction Notice.**

By way of copy and notices to public officials and concerned citizens, I request that they notify your offices of any similar or related breaches of rules and regulations, ASAP.

I am available to attend a meeting or hearing on these topics.

Thanks in advance for your great assistance.

Sincerely,

/s/ Carolyn Bailey
14 Cliff Street
Newark, New Jersey 07106-1628
Preferred contact --HurtingHomeOwner@aol.com

cc: Gurbir Grewal, New Jersey Attorney General
US Postal Certified # 7019 9700 0001 0408 8966

Courtney M. Gaccione, Essex County General Counsel
US Postal Certified # 7019 9700 0001 0408 8973

Other Public Officials and concerned citizens, by email and social media

WHISTLEBLOWER ATTACHMENT 1

From: hurtinghomeowner@aol.com
To: CarlCost@yahoo.com, carlos.costa@coldwellbankermoves.com
Cc: rosemarie.diamond@fedphe.com, rosemarie.diamond@phelanhallinan.com,
john.anello@fedphe.com, MPasuco@yahoo.com
Sent: 11/14/2018 12:51:43 PM Eastern Standard Time
Subject: CEASE AND DESIST NOTICE TO CARLOS COSTA RE US BANK v BAILEY F-20645-14
November 14, 2018

Carlos Costa, Sales Associate [business partner/investor with Marc Pasuco]
Coldwell Banker Residential Brokerage
145 Maplewood Office
Maplewood, New Jersey 07040

Dear Mr. Costa:

I hereby request that you, and/or anyone associated with you, cease and desist contacting me at home or elsewhere regarding my property.

I further notify you that I am maintaining proof that you have called my home from your cell phone # (908) 591-2483, more than a dozen times in the past few weeks, claiming to be the purchaser of my home at the October 16, 2018 Essex County Sheriff auction. Your erratic behavior is bordering on harassment, trespass, invasion of privacy, and stalking. If indeed you have legitimate legal rights to my property, you are within your right to pursue those rights, solely through the judicial system.

Contrary to the suggestion contained in the voice mail you left on my landline phone at 2:25pm on November 12, 2018, **I still reside in my home**. If you choose to disregard this notice to cease and desist, I will notify the authorities and take other prudent legal steps necessary to protect my safety and peaceful tranquility.

By separate written communication, I have and will continue to make you aware of my ongoing efforts to vacate the Sheriff sale.

Respectfully,

s/s Carolyn Bailey
14 Cliff Street
Newark, New Jersey 07106-1628
HurtingHomeOwner@aol.com

cc: Rosemarie Diamond, Esq. of Phelan Hallinan
John Anello, Esq. of Phelan Hallinan
Marc Pasuco [winning Bidder #20]
14 Cliff Street LLC [by email notice to Phelan Hallinan]

Business Name Availability

Available!

14 CLIFF STREET is available!

Required Fields [*]

Search Criteria

Business Name *

14 CLIFF STREET

Search →

x Cancel (/DOR/BusinessNameSearch/)

Division of Revenue & Enterprise Services

PO (Post Office) Box 450

Trenton, NJ (New Jersey) 08646-0303

Support

Division of Revenue & Enterprise Services Web Site (<http://www.state.nj.us/treasury/revenue/>)

Search Help (/DOR/BusinessNameSearch/Home/Help)

Contact Us (<https://www.njportal.com/ErrorPages/Contact.aspx>)

Polices & Procedures

Privacy Policy (<https://www.njportal.com/ErrorPages/Privacy.aspx>)

Accessibility Policy (<https://www.njportal.com/ErrorPages/Accessibility.aspx>)

Security Policy (<https://www.njportal.com/ErrorPages/Security.aspx>)

Legal Statements & Disclaimers (<https://www.njportal.com/ErrorPages/Disclaimer.aspx>)

WHISTLEBLOWER ATTACHMENT 3

PHELAN HALLINAN DIAMOND & JONES, PC

Attorneys for Plaintiff

By: John Anello, Esquire

400 Fellowship Road, Suite 100

Mount Laurel, NJ 08054

(856) 813-5500

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR CREDIT SUISSE FIRST
BOSTON MORTGAGE SECURITIES CORP.,
HOME EQUITY ASSET TRUST 2006-1,
HOME EQUITY PASS-THROUGH
CERTIFICATES, SERIES 2006-1
PLAINTIFF,

VS.

CAROLYN BAILEY, ET AL.
DEFENDANTS

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
ESSEX COUNTY

DOCKET NO: F-020645-14

CIVIL ACTION

CERTIFICATION OF MAILING

1. I, Tia Melton, being of full age, am employed by the firm of Phelan Hallinan Diamond & Jones, P.C., as a Legal Assistant.
2. The original of the within pleading has been filed with the Clerk of the Superior Court and a copy has been filed with the Judge sitting in the County in which venue is laid, within the manner and time prescribed by R. 1:6-3.

3. On November 29, 2018, I did forward, via regular and certified mail, a copy of the within pleading returnable December 7, 2018, to:

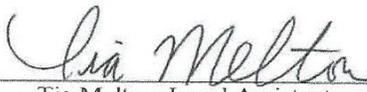
Carolyn Bailey
14 Cliff Street
Newark, New Jersey 07106

14 Cliff Street, LLC c/o Paul Morpasulo
237 Adams Street
Newark, New Jersey 07015

4. R. 1:4-4(b) CERTIFICATION IN LIEU OF OATH.

I hereby certify that the foregoing statements made by me are true; I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

PHELAN HALLINAN DIAMOND & JONES, PC

By: 
Tia Melton, Legal Assistant

Dated: November 28, 2018